

U.S. PROBATION OFFICE
UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE

FILED

2009 MAR 25 A 9:32

PETITION FOR WARRANT FOR OFFENDER UNDER SUPERVISION

U.S. DISTRICT COURT
EASTERN DIST. TENN.
BY _____ DEPT. CLERK

Name of Offender: Gerald Scott Itson

Docket Number: 3:01-CR-127-001

Name of Sentencing Judicial Officer: The Honorable Leon Jordan
United States District Judge

Date of Original Sentence: September 10, 2002

Original Offense: Count One: Coercion of a Minor to Engage in Sexual Activity, in violation of Title 18 U.S.C. § 2422(b)
Count Two: Transfer of Obscene Material to Minors, in violation of Title 18 U.S.C. § 1470

Class: C Felony

Criminal History Category: VI

Original Sentence: Seventy-eight (78) months imprisonment to be followed by a three (3) year term of supervised release as to each count, such counts to run concurrently

Type of Supervision: Supervised Release

Date Supervision Commenced: February 1, 2008

Revoked: July 28, 2008; second term of supervised release commended March 20, 2009

Revocation Sentence: A term of nine (9) months imprisonment to be followed by twenty-seven (27) months supervised release

Revised Supervision Expiration Date: May 19, 2011

Assistant United States Attorney: Nancy S. Harr

Defense Attorney: Kim A. Tollison

Revocation Guideline Range: 8 to 14 months

Statutory Maximum: 15 months

PETITIONING THE COURT

The probation officer believes that the offender has violated the following condition(s) of supervision:

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Violation Number **Nature of Noncompliance**

1

General Condition: The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

Mr. Itson was released from prison on March 20, 2009, and directed by the Bureau of Prison Warden, Lisa Hollingsworth, to report to the Probation Office in the Eastern District of Tennessee, Knoxville, within 72 hours of release. This order to report to the probation office within 72 hours of release was also given to Mr. Itson by Your Honor on September 10, 2002, at the time of his sentencing.

On March 24, 2009, at 3:00 p.m. Mr. Itson stated, in a telephone conversation with this officer, that he refused to report to the United States Probation Office as ordered by the Court.

2

General Condition: The defendant shall register with the state sex offender agency in the state where the defendant resides, works, or is a student, as directed by the probation officer.

On September 10, 2002, the Court ordered that Mr. Itson register as a state sex offender, pursuant to both state and federal law. On February 9, 2009, the Federal Bureau of Prison reported to this officer that Mr. Itson had been reminded of his legal responsibility to register as a sex offender in the state of Tennessee. On March 23, 2009, this officer spoke to Mr. Itson and directed him to the Sweetwater Police Department to register as a sex offender, pursuant to state and federal law.

On March 24, 2009, Mr. Itson reported to this officer that he refused to register as required by state and federal law.

3

Standard Condition # 3: The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

On Monday, March 23, 2009, this officer spoke to Mr. Itson and his mother, Ms. Montooth, by phone. Mr. Itson was directed to report to the probation office on Tuesday, March 24, 2009, at 9:00 a.m. He reported that he did have transportation by way of his mother. She confirmed that she could and would bring him to the office as required. On Tuesday, March 24, 2009, Mr. Itson stated that he was refusing to follow the directions of this officer and would not be reporting to the probation office to execute his conditions of supervision.

Assessment of Flight/Danger and Bond Recommendation: Mr. Itson has a horrendous criminal record which includes numerous indecent exposure convictions. He was evaluated on January 16, 2009, by the Federal Bureau of Prisons Sex Offender Management Program and determine to be a high risk to re-offend. It is recommended that he be detained based on danger to the community.

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Furthermore, it does not appear that Mr. Itson has a residence or employment which would be the criteria for stable placement in the community.

There does not appear to be any condition or combination of conditions which would eliminate Mr. Itson's risk of flight or danger to the community.

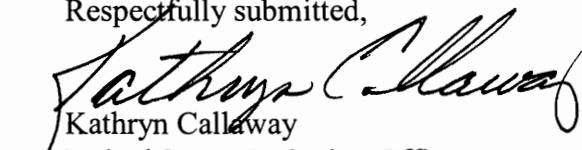
Petitioning the Court to order:

That a warrant be issued and the defendant be ordered to appear in Court for a hearing to determine whether the term of supervision should be revoked.

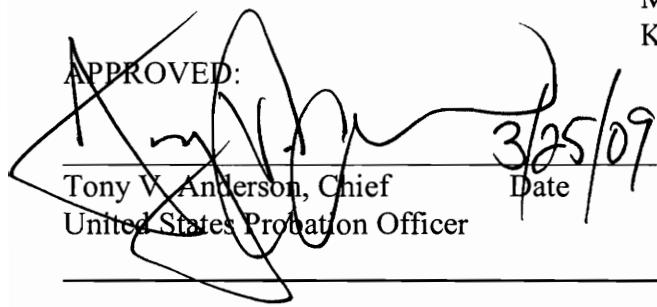
I declare under penalty of perjury that the foregoing is true and correct.

Executed on *March 25, 2009*.

Respectfully submitted,


Kathryn Callaway
United States Probation Officer
Mental Health Specialist
Knoxville Division

~~APPROVED:~~


Tony W. Anderson, Chief
United States Probation Officer

3/25/09
Date

ORDER OF COURT:

A warrant is to be issued and the defendant is ordered to appear in Court for a hearing to determine whether the term of supervision should be revoked. This petition is to be placed under seal until the warrant has been executed by the United States Marshal's Service.

So ordered.

ENTER.


The Honorable
United States District Judge

March 25, 2009
Date